

REMARKS

Claims 1-21 are all the claims pending in the application. By this Amendment, claims 1, 3, 14, and 15 are amended. These are merely clarifying amendments and are not believed to affect the scope of the claims in any way and no estoppel is intended.

Claims 20 and 21 are added, which are clearly supported at least in Fig. 1 of the specification. Claims 20 and 21 are deemed allowable at least due to their respective dependencies on claims 1 and 3.

35 U.S.C. § 102

The Examiner has rejected claims 1, 3-5, 7, 9, 10, 13, 14, 16, and 18 under 35 U.S.C. § 102(b) as being anticipated by Shirley et al. (U.S. Patent No. 6,015,729; hereinafter "Shirley").

Applicant thanks the Examiner for the courtesies extended during the interviews of July 30, 2007 and August 2, 2007, where the present rejection was discussed. The Examiner asserts that the claims do not require that the electrode of the decoupling capacitor and the shield layer both be on the same plane.

As noted during the interview, a difference between an exemplary embodiment of the present invention and Shirley is that the present electrode comprising the shield layer is extended into the decoupling capacitor while in a plane parallel to the substrate. Shirley does not disclose at least this feature. As shown in Figure 1 of Shirley, the portion of element 28 that contacts element 16 is extended in a perpendicular direction to the substrate from the contact point with element 16 toward the region overlapping element 24 therein forming a decoupling capacitor.

Accordingly, Applicant respectfully submits that claims 1, 3, and 14 are not anticipated by Shirley, such that the rejection under 35 U.S.C. § 102(b) should be withdrawn. The rejection of dependent claims 4, 5, 7, 9, 10, 13, 14, 16, and 18 should likewise be withdrawn at least by virtue of their dependence upon claims 1, 3 or 14.

35 U.S.C. § 103

The Examiner has rejected claims 2, 6, 8, 11, 12, 15, 17, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Shirley in view of Tobita (U.S. Patent No. 5,801,412).

The Examiner acknowledges that Shirley does not explicitly teach or suggest the features of claim 2 regarding a wiring layer connected to wirings on an uppermost layer of a multi-layer wiring structure via contact electrodes, and a capacitor insulating film for forming the decoupling capacitor provided between the wiring layer and the shield layer. Shirley also does not teach that the shield layer comprises a silicon compound of a metal. Therefore, the Examiner relies on Tobita. Applicant respectfully submits that Tobita fails to make up for the deficient teachings of Shirley in regard to claims 1 and 3, such that claims 2, 6, 8, 11 and 12 are patentable at least due to their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 10/669,655

Attorney Docket No.: Q77597

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

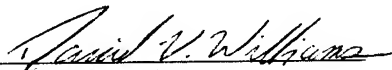
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